

Minutes of Plan Commission Meeting May 19, 2020

Call to Order – Mayor Palm called the meeting of the Commission to order at 5:17 PM.

Roll Call – Present were Phil Wedekind, Roy Franzen, Jim O'Neill, Kolb, Marshall, Geick, and Palm.

Also in attendance were Engineer Tom Pinion, Gregg Borucki, Misty Muter, Chris Sommerfield, Joe Colossa, Jon Bare, Greg Held, Jerry Maj, and Jake & Brian Buswell.

Call to Order

- a. Note compliance with the Open Meeting Law. Mayor Palm noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by Wedekind, seconded by Kolb to approve the agenda as posted. Motion carried unanimously.
- c. Minutes Approval: It was moved by O'Neill, seconded by Kolb to approve the minutes of the March 17, 2020 meeting. Motion carried unanimously.

Public Invited to Speak (*Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.*) – There were no speakers.

New Business

- a. Consideration of a Request by Three Amigos Property Management, LLC to review a combined GDP/SIP in accordance with Steps 3 & 4 of the Planned Development process to construct a 66-unit multi-family residential complex, located at 325 Lynn Street, in a B-1 Central Business zoning district – Pinion presented background for this request. He said the Three Amigos previously entered into Pre-Development Agreement that was approved by the Council on October 8, 2019 and are continuing with the process of purchasing this property from the City. He said Three Amigos are planning to build a multi-family residential complex, and are diligently working on their site plan and building plans. He said that this property was previously rezoned with a PUD Overlay in June 2018 for a previous developer; however, became null and void since it was not utilized within 12 months. Jake and Brian Buswell said that they are working on the color renditions now. They said that the building is L-shaped, 65-67 units, multiple parking levels, as well as underground, and another underground parking that will be stacked because of how steep the site is. Jake Buswell then gave an overview of what is being proposed as far as the mixture of units. Jake then presented the Commission with the materials being proposed. Greg Held, Knothe Bruce Architects addressed the Commission and stated that he could provide physical samples of materials at the next meeting. O'Neill asked if the same colors will be used, Boswell answered that color has not been decided at this time. Wedekind asked project cost. Boswell said their preliminary cost is between 7-8.5 million. Pinion said that it was up to the Commission whether they would like to action on the GDP and SIP together, or separately. Kolb moved to approve the GDP, and conditionally approve the SIP pending color renderings, exemplars of the exterior materials, final site plan, stormwater management plan, site lighting plan, and a landscaping plan. Wedekind seconded the motion. On roll call vote for the motion, Ayes – O'Neill, Kolb, Marshall, Geick, Palm, Wedekind, and Franzen. Nay – 0, motion carried 7-0.
- b. Review a Conceptual Development Plan in accordance with Step 2 of the Planned Development process for MAJ 3, LLC to allow a multi-family residential development in a B-3 Highway Oriented Business zoning district on the 5.3-acre parcel on the north side of South Blvd. in the SE1/4 of the NE1/4 of Section 3, T11N, R6E, located at 1420 South Blvd. and formerly occupied by the Honey Boy Mobile Home Park, by Jerry Maj – Pinion presented the background to the Commission. He said the underlying zoning is B-3 and does not allow, either as a permitted use, or as conditional use a Multi-family residential project. He said that the developer is looking for feedback for the Commission whether this is an appropriate land use in this location. Maj was asked if consideration was given to a mixed use of commercial and residential. Maj stated that at this point this has not been considered; however, he would be willing to leave the door open. Kolb said that he likes the idea of mixed used, but given the need for more residential units within the City he could live with either one. He said the only problem he would have is entrance and egress on South Blvd. Pinion said the property has frontage on Commerce. Pinion said that he has the same concern, he would like to see single access off Highway W, perhaps even restrict it to right out, right in only, and the secondary access off of Commerce Avenue in some fashion. Maj felt that this is doable. Palm express the same concern. Geick and O'Neill also agreed. Palm summarized that the Commission would like the developer to at least look into the idea of a mixed use, and also giving strong consideration to the traffic flow off and on of Highway W, and utilizing Commerce Avenue as an entrance to the development.

- c. Review a Conceptual Development Plan in accordance with Step 2 of the Planned Development process for collaborative Properties, LLC to allow a two-tenant professional office building in a B-3 Highway Oriented Business zoning district on the 0.25-acre vacant parcel on the south side of 8th Street, located at 908 8th Street by Misty Muter and Chris Sommerfield – Pinion presented background to the Commission. He said this property is directly across from BP Fresh Market Express property. He said the reason for the PUD is that in a B-3 zoning district there is a 25-foot setback on the rear yard if the rear yard adjoins a residentially zoned property. He said there is a residentially zoned property immediately south of this with a 7th Street frontage, but rather than provide that large backyard for their proposal and force the parking much closer to the sidewalk they would like that reduced to what they are showing as 10-feet from the rear property line. Franzen questioned if neighbors have been contacted regarding the setback request. He said that the process at this point is strictly a concept meeting with the Plan Commission so there has been no formal notification by the City, and he does not know whether the developers have done so. He said they obviously spoke to their neighbor to the west. He said the Public Safety Committee previously authorized a temporary shared lateral agreement with them since this vacant lot does not have laterals stubbed in for sewer or water. Kolb said he would like to see a shared driveway with American Family to limit the number of driveways on 8th Street. He said that he likes the look HIP roof and would like to see a color rendering of a conventional roof. Misty Muter said that it would be difficult to share a driveway with American Family due to the customers parking on the west side of their building and employees in the back. She also likes the hipped roof, but it is expensive. It was the consensus of the Commission that the concept is good and recommend proceeding as long as the Commission sees a rendering of a gabled roof at a future meeting.
- d. Review a Conceptual Development Plan in accordance with Step 2 of the Planned Development process for the Al Ringling Brewing Company, Inc. to allow an outdoor beer garden with a decorative fence in a B-1 Central Business zoning district for the property located at 623 Broadway, on the southwest corner of 5th Avenue and Broadway, Joe Colossa, Donald Horowitz, Jon Bare, and Griffin James – Pinion said under the City's liquor license provisions, anyone in the Central Business District they are allowed outdoor beer gardens, but there is a corresponding restriction that they have to be enclosed with a solid 6-foot fence. He said because of the property's historic nature the owners would like to provide something that would complement the building, something along the lines of a wrought iron style fence with a 4 or 6-inch vertical uprights between. He said the fence would be in the area where the carriage turn-around is and would not extend past the building toward Broadway. O'Neill would like to see some type of visual aid of the fence. Pinion said that they did provide a picture; the fence is black, 3.5-feet in height. Kolb said he likes the style and the location, somewhat concerned regarding the height, and would like it taller. Marshall asked the owners if they are requesting a shorter fence to avoid obscuring the property. Owners answered that the property was on the National Historic Registry and does not want the fence to distract from the historic nature. Chief Schauf said that he does not have a problem with the wrought iron fence, or the height of the fence. He said that he feels the intent of the code was to prevent the passing of alcohol to underage persons. He said that he does not anticipate that to be a problem at this particular establishment. However, the challenge that he has as Chief of Police is consistent application across any business in B-1 that wants to go through this type of process. He said that he thinks the City has some special circumstances because of the historical reference to the National Registry that gives the City some latitude. He said in speaking with Pinion and Attorney Truman, they feel that this is best way to provide for the beauty of, not only the business, but also downtown while still preserving and not having to worry about other businesses applying for and getting variances that could cause safety issues.
- e. Review and approve a two-lot Certified Survey Map for Steven & Sandra Cohoon for land in the City's extraterritorial Plat Approval Jurisdiction, located on the west side of Hager and Mine Roads, south of Waldo Street, being part of the NE1/4 of the NW1/4 of section 11, T11N, R6E, Town of Baraboo, Sauk County, Wisconsin – Pinion said just a point of order, the agenda clearly states that the petitioners must be present or the subject will not be heard by the Commission. He said there is no one on the call, or in Council Chambers. He said for reference sake he did speak with the applicants yesterday, they did try to consult with the City Attorney, but she was not available. He said that he asked them about it, and explained for the third or fourth time why this was not consistent with the City's Extra Territorial Zoning Ordinance; therefore, he feels that is an indication why they chose not to attend this evening. Kolb moved, O'Neill seconded to postpone this matter. On roll vote for the motion, Ayes – Kolb, Marshall, Geick, Palm, Wedekind, Franzen, and O'Neill. Nays – 0, motion carried 7-0.

Mayor Palm formally welcomed Ed Geick to the Plan Commission. He said that another move made this year was the retirement of Alderman Dennis Thurow that opened up an Aldermanic seat and he would then chair the Commission.

Adjournment - It was moved by Kolb, seconded by Wedekind to adjourn at 6:03 p.m. The motion carried unanimously.

Mike Palm, Mayor